

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HUMAN SERVICES**

**Call to Order:** Chair Kirk Wagoner, on April 3, 2017 at 3:00 PM, in Room 152 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Kirk Wagoner, Chair (R)  
Rep. Jessica Karjala, Vice Chair (D)  
Rep. Dennis R. Lenz, Vice Chair (R)  
Rep. Mary Ann Dunwell (D)  
Rep. Bill Harris (R)  
Rep. Tom Jacobson (D)  
Rep. Forrest Mandeville (R)  
Rep. Gordon Pierson Jr (D)  
Rep. Matt Regier (R)  
Rep. Vince Ricci (R)  
Rep. Walt Sales (R)  
Rep. Barry Usher (R)  
Rep. Tom Welch (R)

**Members Excused:**

Rep. Ellie Hill Smith (D)  
Rep. Kathy Kelker (D)

**Members Absent:** None

**Staff Present:** Sue O'Connell, Legislative Branch  
Carolyn Tschida, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 667, 3/31/2017; SB 340, 3/31/2017

Executive Action: SB 92; SB 96; SB 104; SB 120; SB 198; SB 208; SB 283

**HEARING ON SB 340**

**Opening Statement by Sponsor:**

00:01:00 Sen. Cary Smith (R), SD 27, opened the hearing on SB 340, Authorize choice for out-of-state health care insurance.

**Proponents' Testimony:**

00:05:06 Kendall Cotton, Commissioner of Securities and Insurance Office (CSI)

00:05:51 Rep. Kelker joined the meeting

00:05:59 Zach MacQuarrie, Americans for Prosperity Montana (AFP-MT)

**Opponents' Testimony:**

00:06:42 Al Smith, Montana Trial Lawyers (MTLA)

[EXHIBIT\(huh69a01\)](#)

[EXHIBIT\(huh69a02\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:15:57 Rep. Karjala

00:16:47 Al Smith, MTLA

00:17:09 Rep. Dunwell

00:18:01 Al Smith, MTLA

00:19:03 Rep. Dunwell

00:19:24 Al Smith, MTLA

00:19:32 Rep. Mandeville

00:20:06 Al Smith, MTLA

00:21:15 Rep. Karjala

00:22:45 Sen. Smith

00:24:21 Rep. Karjala

00:24:58 Rep. Jacobson left the meeting

00:25:49 Sen. Smith

00:26:15 Rep. Karjala

[EXHIBIT\(huh69a03\)](#)

00:26:39 Al Smith, MTLA

00:28:43 Rep. Kelker

00:29:18 Sen. Smith

00:30:46 Rep. Kelker

00:31:21 Sen. Smith

00:32:44 Rep. Usher

00:33:25 Al Smith, MTLA

[EXHIBIT\(huh69a04\)](#)

**Closing by Sponsor:**

00:34:01 Sen. Smith

00:38:42 Recess

00:49:29 Reconvene

**HEARING ON HB 667**

**Opening Statement by Sponsor:**

00:49:40 Rep. Tom Woods (D), HD 62, opened the hearing on HB 667, Create legislative study committee on reference-based pricing.

**[EXHIBIT\(huh69a05\)](#)**

**Proponents' Testimony:**

00:59:03 Kendall Cotton, Commissioner of Securities and Insurance

**Opponents' Testimony:**

01:00:04 Bob Olsen, Montana Hospital Association (MHA)

01:04:40 Mike Foster, Montana Catholic Hospitals

01:08:27 Aimee Grmoljez, Billings Clinic

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:09:54 Rep. Mandeville

01:10:21 Rep. Woods

01:10:54 Rep. Mandeville

01:11:27 Rep. Woods

01:11:56 Rep. Kelker

01:12:44 Rep. Woods

01:14:12 Rep. Karjala

01:14:57 Rep. Woods

01:15:49 Rep. Dunwell

01:16:18 Rep. Woods

01:16:25 Rep. Dunwell

01:16:43 Rep. Woods

01:18:00 Rep. Sales

01:18:31 Mike Foster, Montana Catholic Hospitals

01:19:34 Rep. Karjala

01:20:22 Rep. Woods

**[EXHIBIT\(huh69a06\)](#)**

01:25:27 Rep. Karjala

01:25:50 Rep. Woods

01:26:39 Rep. Dunwell

01:26:56 Rep. Woods

**Closing by Sponsor:**

01:27:17 Rep. Woods

01:28:25 Chair Wagoner

01:29:10 Recess

02:02:36 Reconvene

**EXECUTIVE ACTION ON SB 92**

02:02:50 **Motion:** Rep. Lenz moved that **SB 92 BE CONCURRED IN.**

**Discussion:**

02:03:00 Sue O'Connell, Legislative Services Division (LSD)

02:03:17 **Motion:** Rep. Lenz moved that **SB 92 BE AMENDED.**

**EXHIBIT**(huh69a07)

**Discussion:**

02:03:42 Rep. Kelker

02:04:02 **Vote:** Motion carried unanimously by voice vote. Rep. Hill Smith and Rep. Jacobson voted by proxy.

02:04:32 **Motion/Vote:** Rep. Lenz moved that **SB 92 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Rep. Hill Smith and Rep. Jacobson voted by proxy. Rep. Regier will carry the bill.

**EXECUTIVE ACTION ON SB 96**

02:05:16 **Motion/Vote:** Rep. Lenz moved that **SB 96 BE TABLED.** Motion carried unanimously by voice vote. Rep. Hill Smith and Rep. Jacobson voted by proxy.

**EXECUTIVE ACTION ON SB 104**

02:05:59 **Motion:** Rep. Lenz moved that **SB 104 BE CONCURRED IN.**

**Discussion:**

02:06:05 Sue O'Connell, LSD

02:06:24 **Motion:** Rep. Lenz moved that **SB 104 BE AMENDED.**

**EXHIBIT**(huh69a08)

**Discussion:**

02:06:49 Sue O'Connell, LSD

02:07:37 **Vote:** Motion carried unanimously by voice vote. Rep. Hill Smith and Rep. Jacobson voted by proxy.

02:08:08 **Motion:** Rep. Lenz moved that **SB 104 BE CONCURRED IN AS AMENDED.**

02:08:16 **Substitute Motion/Vote:** Rep. Mandeville made a substitute motion that **SB 104 BE TABLED.** Substitute Motion carried 8-7 by roll call vote with Rep. Dunwell, Rep. Hill Smith, Rep. Jacobson, Rep. Karjala, Rep. Kelker, Rep. Pierson and Rep. W. Sales voting no. Rep. Hill Smith and Rep. Jacobson voted by proxy.

**EXECUTIVE ACTION ON SB 120**

02:10:29     **Motion:** Rep. Lenz moved that **SB 120 BE CONCURRED IN.**

**Discussion:**

02:10:38     Sue O'Connell, LSD

02:10:53     **Motion:** Rep. Kelker moved that **SB 120 BE AMENDED.**

[\*\*EXHIBIT\(huh69a09\)\*\*](#)

**Discussion:**

02:11:15     Rep. Kelker

02:13:21     **Vote:** Motion failed 7-8 by roll call vote with Rep. Dunwell, Rep. Hill Smith, Rep. Jacobson, Rep. Kelker, Rep. Pierson, Rep. W. Sales and Rep. Welch voting aye. Rep. Hill Smith and Rep. Jacobson voted by proxy.

02:14:41     **Motion:** Rep. Lenz moved that **SB 120 BE AMENDED.**

**Discussion:**

02:14:53     Sue O'Connell, LSD

02:15:31     **Vote:** Motion carried 13-2 by roll call vote with Rep. M. Regier and Rep. W. Sales voting no. Rep. Hill Smith and Rep. Jacobson voted by proxy.

02:16:46     **Motion/Vote:** Rep. Lenz moved that **SB 120 BE CONCURRED IN AS AMENDED.** Motion carried 11-4 by roll call vote with Rep. Jacobson, Rep. Kelker, Rep. M. Regier and Rep. W. Sales voting no. Rep. Hill Smith and Rep. Jacobson voted by proxy. Rep. Ricci will carry the bill.

**EXECUTIVE ACTION ON SB 198**

02:18:30     **Motion:** Rep. Lenz moved that **SB 198 BE CONCURRED IN.**

**Discussion:**

02:18:50     Chair Wagoner

02:19:09     Rep. Kelker

02:20:29     **Vote:** Motion carried 9-6 by roll call vote with Rep. Hill Smith, Rep. Jacobson, Rep. Karjala, Rep. Kelker, Rep. Mandeville and Rep. Pierson voting no. Rep. Hill Smith and Rep. Jacobson voted by proxy.

**EXECUTIVE ACTION ON SB 208**

02:21:45     **Motion:** Rep. Lenz moved that **SB 208 BE CONCURRED IN.**

02:22:20     **Motion:** Rep. Lenz moved that **SB 208 BE AMENDED.**

[\*\*EXHIBIT\(huh69a10\)\*\*](#)

**Discussion:**

02:22:32 Sue O'Connell, LSD

02:23:15 Rep. Dunwell

02:23:46 Rep. Harris

02:24:21 Rep. Mandeville

02:24:39 **Vote:** Motion carried unanimously by voice vote. Rep. Hill Smith and Rep. Jacobson voted by proxy.

02:25:06 **Motion/Vote:** Rep. Lenz moved that **SB 208 BE CONCURRED IN AS AMENDED**. Motion carried 13-2 by voice vote with Rep. Karjala and Rep. Pierson voting no. Rep. Hill Smith and Rep. Jacobson voted by proxy. Rep. Harris will carry the bill.

**EXECUTIVE ACTION ON SB 283**

02:26:29 **Motion:** Rep. Lenz moved that **SB 283 BE CONCURRED IN**.

**Discussion:**

02:26:34 Sue O'Connell, LSD

02:26:51 **Motion:** Rep. Lenz moved that **SB 283 BE AMENDED**.

[\*\*EXHIBIT\*\*](#)(huh69a11)

**Discussion:**

02:27:05 Rep. Usher

02:28:06 **Vote:** Motion carried 13-2 by roll call vote with Rep. Lenz and Rep. Mandeville voting no. Rep. Hill Smith and Rep. Jacobson voted by proxy.

02:29:08 **Motion/Vote:** Rep. Lenz moved that **SB 283 BE CONCURRED IN AS AMENDED**. Motion carried 14-1 by voice vote with Rep. Lenz voting no. Rep. Hill Smith and Rep. Jacobson voted by proxy. Rep. Usher will carry the bill.

02:30:03 Chair Wagoner

**ADJOURNMENT**

Adjournment: 02:30:42

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Carolyn Tschida, Secretary

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Additional Documents:

**EXHIBIT([huh69aad.pdf](#))**